

DISCIPLINARY ACTION

PRIVATE ADMONITION. ODC File Nos. 111901-B and 108318-B. Effective Date: May 27, 2014.

A Delaware lawyer accepted a private admonition for violations of the Delaware Lawyers' Rules of Professional Conduct ("Rules") and the Delaware Lawyers' Rules of Disciplinary Procedure ("Procedural Rules") in connection with his failure to maintain his law practice's books and records. The private sanction was offered by a panel of the Preliminary Review Committee ("PRC") and imposed with the consent of the lawyer. The lawyer admitted violations of Procedural Rule 7(c) and Rule 1.5(f), Rule 1.15(a), and Rule 8.4(d) in connection with his failure to comply with conditions of a previous disciplinary sanction, his failure to advise a client in a fee agreement that the fee was refundable if not earned and his failure to retain advance fees in the attorney trust account. The PRC considered as aggravating factors the lawyer's substantial experience in the practice of law and his prior disciplinary history. As a mitigating factor, the PRC considered the remoteness in time of the prior disciplinary sanction.